United Nations E/C.2/2001/3

Economic and Social Council

Distr.: General
30 April 2001

Original: English

Committee on Non-Governmental Organizations
2001 regular session
7 to 25 May 2001
Item 7 of the provisional agenda*
Consideration of special reports

Special report by Freedom House

Note by the Secretary-General

I. Background

1. At the first part of its 2000 session, the Committee had before it a complaint by the delegation of China against Freedom House, on the grounds that the organization had invited anti-China elements to hold a panel discussion directed against the Government of China and had requested and obtained interpretation provided by the United Nations for that meeting. The organization was requested to present a special report on its activities at its June 2000 session.

2. At the second part of its 2000 session, the Committee had before it a special report and a response from Freedom House, explaining the incident. The Committee also heard the representative of the organization on the matter. In addition, a number of delegations requested clarification concerning the work of the organization, including its structure and decision-making mechanisms, its links to the Government of the United States and its financial structure. The Committee deferred consideration of the complaint to its 2000 resumed session, pending the receipt of a response by the organization to questions posed by the Committee.

3. At its 2000 resumed session, the Committee had before it a letter from the secretariat of the Commission on Human Rights and a letter from the organization, both concerning the incident, as well as a response by the organization to the questions posed by the Committee. A number of delegations raised additional questions on the activities of Freedom House and stated that the organization carried out politically motivated acts against Member States (see E/2001/8). The Committee decided to defer consideration of the status of Freedom House, pending receipt of a special report on the role and activities undertaken by the organization in Cuba and clarification to questions posed by the Committee members.

* E/C.2/2001/1.

01-35676 (E) 090501

4. In two letters, dated 8 March and 9 April 2001, the Non-Governmental Organizations Section of the Department of Economic and Social Affairs of the Secretariat transmitted the request for a special report to Freedom House as well as specific questions posed by Committee members. The Section received two letters of answer from the organization, dated, respectively, 26 March and 27 April 2001. The content of those letters is hereafter reproduced.

II. Special Report submitted by Freedom House

Introduction

Freedom House was established in 1941 by a committee of prominent citizens of the United States who were deeply concerned about the growing threat of world fascism. From the outset, Freedom House functioned along rigorously non-partisan lines. The two people most prominently associated with the founding of Freedom House included a leading Republican, Wendell Willkie, who had opposed Franklin D. Roosevelt for the presidency in 1940, and a leading Democrat, Eleanor Roosevelt, the wife of the President. Freedom House was established as an organization committed to the expansion of human rights and the promotion of democratic ideals. Its founders saw Freedom House as an organization that would rise above partisan political debate by dedicating itself to the advancement of universally recognized standards of human rights and freedom. Indeed, both Wendell Willkie and Eleanor Roosevelt strongly supported the establishment of the United Nations, and Mrs. Roosevelt played a critical role in the formulation of the Universal Declaration of Human Rights, a document that serves as a guide and inspiration for the daily work of Freedom House.

It is fundamental to the mission of Freedom House that it function independently of the government. Freedom House has often criticized the shortcomings of democracy in the United States. It was a sharp critic of Senator Joseph McCarthy and the phenomenon known as McCarthyism. Freedom House was a leading champion of the struggle for racial justice, and worked closely with organizations like the National Association for the Advancement of Colored People and individuals such as Bayard Rustin and Roy Wilkins, who spearheaded the civil rights struggle. Internationally, Freedom House supported democracy advocates who were oppressed by both right- and left-wing dictatorships. Among those receiving support from Freedom House were Kim Dae Jung, Corazon Aquino, Vaclav Havel, Andrei Sakharov, and Aung San Suu Kyi.

In June 2000, Freedom House was the co-sponsor of the world Forum on Democracy, in Warsaw, Poland at which over 300 non-governmental leaders, statesmen and scholars participated and at which United Nations Secretary-General Kofi Annan spoke (see www.fordemocracy.net).

Like other organizations devoted to the promotion and monitoring of human rights, Freedom House has been critical of the practices of some States. Usually, the vehicle for this criticism is our Freedom in the World survey, which assesses the degree to which sovereign States adhere to universally recognized standards of political rights and civil liberties. In addition to its freedom survey, Freedom House issues reports detailing the state of world press freedom and freedom of belief around the world. In all our surveys, the freedoms enshrined in the Universal

Declaration of Human Rights serve as the foundation for our evaluations of human rights and political conditions in the United States and in other countries. In evaluating the condition of freedom, Freedom House rigorously applies the same standard to all countries, whatever their political system, ethnic or religious composition, or region might be.

Questions addressed to Freedom House

1. Independence of the organization and the way it is guaranteed, given the fact that most of its income comes from government sources

Freedom House has maintained a policy of strict independence from government since its founding. This independence is guaranteed by the non-partisan character of its board of trustees. The Freedom House board is politically and intellectually diverse. It includes Republicans and Democrats, liberals and conservatives, representatives of business and labour, and leading academic specialists on human rights and democracy issues. While trustees are divided on various domestic political issues, all are committed to the core Freedom House mission of advancing democracy, human rights, and the rule of law. As men and women of wide experience in public affairs, the trustees fully recognize the importance of maintaining a position that is independent of government influence, and all are committed to protecting the organization's reputation for independent and honest research and analysis.

Like many of the non-governmental organizations that have consultative status, Freedom House does derive a portion of its budget from government sources. The Freedom House budget is divided in approximately equal parts between government and private contributions. The government contributions are used to promote programmes and values that are basic to the mission of the United Nations: a free press, rule of law, a democratic and competitive political process, independent social research, the rights of minority groups. It should further be noted that much of the government contribution is defined as the "pass through" kind, where Freedom House simply acts to transmit grants from the United States Government to non-governmental organizations in foreign countries. With few exceptions, the funds that are used to support the core research and analytical work of Freedom House and its pro-democracy advocacy work are provided by non-governmental sources.

Some comments within the Committee on Non-Governmental Organizations have suggested that Freedom House does not criticize United States policy. For the record, we would like to point out that over the past decade we have criticized United States Government policy towards Sudan, towards the People's Republic of China, and the slow and, in our view, inadequate United States response in the early and mid 1990s to the genocide in Bosnia. We have also criticized the United States Government for insufficient attention to the problem of religious persecution.

2. The assurances given by the organization not to develop politically motivated activities

Freedom House does not pursue its mission in a politically motivated or politically aligned way. The Freedom House board of trustees includes men and women who have diverse political philosophies, ranging from conservative to libertarian to liberal to social democratic. The board includes leading members of

the business community as well as prominent trade unionists. Freedom House itself does not embrace any political tendency. Rather, it seeks to carry out its core mission of advancing democracy, political freedom, and civil liberties around the world. Freedom House does not carry out "activities". It assesses political conditions with a special eye for the state of democracy; it engages in debate and dialogue on the need for the spread of freedom; and it encourages individual citizens and Governments to be engaged in debate and dialogue on crucial issues of democracy and human liberty. In other words, Freedom House bases its activity not on political preferences but on the universal rights enshrined in the United Nations Declaration on Human Rights and related international covenants.

3. Content of Freedom House's Cuba Democracy Project (activities, sources of funding) and whether it has any chapter in Cuba (objectives, activities and members)

Freedom House for a number of years has sponsored a project to promote democratic opening, peaceful change, and human contacts in Cuba. Freedom House has a long tradition of encouraging the creation of more democratic space for those who are advocating human rights and individual liberties in undemocratic societies. It is our experience that those who have participated in successful transitions to democracy in repressive societies can convey an important message to those who are today involved in advocating increased freedom. Our Cuba project encourages leaders (statesmen, members of parliament, journalists and civic leaders) from societies that have experienced transitions to democracy to visit their counterparts in Cuba, discuss the lessons from past peaceful and democratic transitions, and to reach out to those who often feel isolated or are the victims of state persecution. Under no circumstances do participants in Freedom House projects encourage violence, overt or covert anti-state activities, or the overthrow of the Government through non-democratic means. Indeed, our efforts related to Cuba focus exclusively on the free flow of information and internationally guaranteed rights. The essence of the Freedom House programme is dialogue, discussion, and the sharing of ideas. In most societies, such human dialogue would be protected by constitutions or laws and would in no case warrant the attention of the organs of state security. We find it troubling that a small number of States seek to criminalize such normal person-to-person contacts.

The primary source of funding for the Cuba Democracy Project is the United States Government's Agency for International Development. Freedom House, however, is solely responsible for the objectives and planning of the project and for its administration. There are absolutely no Freedom House chapters in Cuba and no employees or members of Freedom House in that country.

4. Travel to Cuba of members of Freedom House or persons connected to the organization, including travel in the framework of the Cuba Project

It is a basic goal of Freedom House to promote discussion between the partisans of democracy in Cuba and their counterparts from societies where political transitions from dictatorship to democracy have occurred. In some cases, Freedom House has helped fund the travel of individuals from newly democratic societies, as well as others, to Cuba. As explained above, these individuals do nothing more than discuss political reform and democratic practices with those in Cuba who either favour democratic change or are interested in discussing reforms in the present

system. As individuals who have experience in political transitions that were carried out without violence or major upheaval, those visitors have important insights about the process of change when dictatorships give way to democratic systems. And as noted above, those visitors do not encourage the use of violence, covert operations, or any direct or indirect tactic to foment popular upheaval. They travel to engage in ordinary person-to-person contact with ordinary Cuban citizens.

5. **Awareness by Freedom House of the rules and procedures governing the consultative relationship between the Council and a non-governmental organization, including the responsibility of an organization for all persons accredited by this non-governmental organization to a United Nations meeting; awareness of the fact that any act against the constitutionally elected Government of any member State constitutes a violation of the purposes and principles of the Charter**

Freedom House takes its role as a responsible non-governmental organization affiliate to the United Nations with the utmost seriousness. We are fully acquainted with the rules and procedures governing our consultative relationship. More to the point, Freedom House is fully compliant with those rules and procedures. To get to the heart of the question, Freedom House does not engage in actions against any sovereign State. Freedom House conducts normal informational activities which are protected under the provisions related to freedom of speech and freedom of the press that are enshrined in international human rights documents. In this context of free comment, Freedom House has advanced criticisms of certain policies of every country in the world in its various surveys of freedom and civil liberties. In this regard, Freedom House is no different from hundreds of other non-governmental organizations that have consultative status. Many non-governmental organization affiliates have made sharply critical statements about a broad range of policy matters: the existence of slavery in certain countries, the inequality of women, the repression of trade unions, the muzzling of the press, the persecution of certain religions, environmental degradation, the mistreatment of animals, the lack of equal access to jobs and education for the disabled. These criticisms are sometimes accompanied by calls that certain policies be changed and campaigns calling attention to the behaviour of member States.

In no case does Freedom House engage in direct "acts" against a member State. We simply inform and encourage action by sovereign States within the context of their responsibilities under international human rights documents.

In directing our attention to what we regard as shortcomings in the guarantees of rights and freedoms, Freedom House is violating neither the spirit nor the letter of acceptable behaviour for non-governmental organizations with consultative status.

6. **The briefing organized by the organization on 5 October 2000 regarding the candidacy of Sudan for a seat on the Security Council**

Freedom House participated in the 5 October 2000 briefing along with a number of other human rights organizations that shared a concern about Sudan's record on certain human rights and humanitarian issues. Those concerns included the continued existence of slavery in Sudan, the war being waged against non-Moslems in the South, and Sudan's refusal to guarantee the safety of humanitarian aid organizations working in the South. The issues that concerned Freedom House

were of a sufficiently serious nature to convince a majority of member States to decline to support Sudan's bid for a seat on the Security Council. In raising its concern, Freedom House was simply exercising its right to express an opinion on an important international political issue. We were careful to do so in a setting outside the United Nations complex of offices — i.e., in a building in the city of New York and in the United States. In so doing, Freedom House was in no way in violation of the spirit or substance of the guidelines governing the behaviour of non-governmental organizations with consultative status. We are concerned that a question about the briefing has been raised in an official United Nations process. Many of the non-governmental organizations enjoying consultative status routinely issue press releases or convene public events to criticize and differ with the policies of United Nations member States. The inclusion of the question about the 5 October briefing would suggest that, in future, any non-governmental organization that speaks critically of a member State may find its credentials jeopardized and its integrity called into question. We sincerely hope that this does not represent a precedent for future policy towards the non-governmental organization community.

7. **The position of the organization with regard to the question of Taiwan Province of China**

Freedom House is grateful for an opportunity to respond to a question concerning its survey of freedom posed by the representative of the People's Republic of China.

As a non-governmental organization that conducts research on civic liberties and political rights, among other studies, Freedom House issues an annual global survey of freedom. In that survey we list both the People's Republic of China and Taiwan in its roster of States.

Such listing in our survey does not imply any Freedom House recognition of Taiwan's status as a subject of international law. Freedom House is a non-governmental organization that cannot confer such State status on any territory or country. Rather, our listing reflects the reality that 28 States, most of them member States of the United Nations, extend diplomatic recognition to Taiwan. As is well known, States recognizing Taiwan's independence include Senegal, Costa Rica, Nicaragua, and Panama.

The neutrality of our position is attested to by the fact that in the 1960s, before the People's Republic of China became the representative of China within the United Nations system, our surveys listed the People's Republic on the identical principle — that some member States of the international community extended diplomatic recognition to the Beijing Government.

Freedom House is obliged to make decisions pertaining to its research surveys on the basis of world realities and scrupulously avoids taking a particular side on the question of Taiwan's Statehood. While Freedom House does not recognize a territory as free simply because it calls itself independent, it does so report when an entity meets certain generally accepted criteria for political independence. These criteria include the above-mentioned condition of diplomatic relations with other States, a geographically contiguous territory and a Government that is accountable to its people and not to some higher governing authority. Other criteria include a military that is free of control from foreign authorities, an economy that is free to engage in relations with the rest of the world, and a legal system that is sovereign in

itself. When these objective factors are added to the reality of recognition of Taiwan by a number of United Nations member States, the neutral and non-provocative intention of the Freedom Survey becomes evident.

For the record, we should note that Freedom House is aware that the United States does not extend formal diplomatic relations to Taiwan. But as we have noted in response to previous questions, Freedom House operates entirely independently from the Government of the United States. We have often criticized the policies or actions of the United States Government. We have on other occasions adopted a course that is different from that of the Government of the United States. Such is the case regarding our neutral treatment of the issue of Taiwan's status under international law.